



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,353	02/20/2002	Tommi Koistinen	4925-195PUS	8639

7590 04/13/2006

Michael C Stuart  
Cohen Pontani Lieberman & Pavane  
551 Fifth Avenue Suite 1210  
New York, NY 10176

EXAMINER
----------

JUNTIMA, NITTAYA

ART UNIT	PAPER NUMBER
----------	--------------

2616

DATE MAILED: 04/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/030,353

Applicant(s)

KOISTINEN, TOMMI

Examiner

Nittaya Juntima

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 10, 12 and 16-18 is/are rejected.
- 7) ☒ Claim(s) 3-9, 11, 13-15 and 19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/7/02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because numeral references 301-746 in Figs. 3-7 should include text labels for clarity purposes, for example, numeral reference 301 in Fig. 3 would be relabeled as “uplink data flow 301.”

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

Art Unit: 2616

2. The abstract of the disclosure is objected to because legal phraseology, “said” on line 4. Correction is required. See MPEP § 608.01(b).

### *Claim Objections*

3. Claims 1, 9, 11, 16, 17, and 18 are objected to because of the following informalities:
- in claim 1, line 3, “the” should be changed to “a;”
  - in claim 9, line 2, “RTP” should be spelled out as “Real-time Transport Protocol” to avoid any misinterpretation;
  - in claim 11, line 2, “Transfer” should be changed to “Transport;”
  - in claim 16, line 5, “characterized in that it further comprises” should be removed;
  - in claim 17, line 1, “transmitting” should be changed to “receiving;”  
line 5, “characterized in that it further comprises” should be removed;
  - in claim 18, line 4, “characterized in that it further comprises” should be removed.
- Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2, 10, 12, 16, 17, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Haeggstrom (USPN 6,167,040).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

Regarding claim 1, as shown in Fig. 4, Haeggstrom teaches a method for transmitting data over packet network, where a cellular network (BTS, BSC, MSC/VLR, collectively) is connected to a packet network (Internet) and uplink tandem free operation data frames (TFO frames, col. 2, lines 19-37 and col. 6, lines 19-23), which carry coded data and in a frame structure inband tandem free operation signaling information related to the coding (coded data and inband signaling read on speech parameters carried by one or two less significant bits of the PCM samples, col. 2, lines 32-37, 46-50), are transmitted from the cellular network towards the packet network, the method comprising:

at least all non-redundant information comprising said inband tandem free operation signaling information from the uplink tandem free operation data frames is extracted from said frames and transmitted over the packet network (speech parameters of TFO frames extracted and transmitted in UDP/IP frame must comprise inband TFO signaling information, col. 6, lines 19-23).

Regarding claim 2, Haeggstrom teaches that the uplink tandem free operation data frames are relayed as such (col. 2, lines 37-42, col. 6, lines 64-66, and col. 8, lines 1-3).

Regarding claim 10, Haeggstrom further teaches that the non-redundant data from the uplink tandem free operation data frames is transmitted using a certain protocol (UDP/IP) that supports real time applications (col. 6, lines 19-23).

Regarding claim 12, as shown in Fig. 4, Haeggstrom further teaches that the information transmitted over the packet network (Internet) is processed on the edge of the packet network (by the gateway) (col. 6, lines 19-23).

Regarding claim 16, as shown in Fig. 4, Haeggstrom teaches a transmitting arrangement (gateway) for transmitting data over packet network, comprising:

Means for receiving data in telephony network format (data in PCM format is received from the PSTN at the gateway, col. 2, lines 32-37 and col. 6, lines 8-23, therefore the gateway must include means for receiving data).

Means for sending data (speech parameters) in packet format (UDP/IP frame) (the gateway locates speech parameters in UDP/IP frame, col. 6, lines 19-23, therefore, the gateway must include means for sending data).

Means for separating tandem free operation frames (TFO/TRAU frames in PCM samples containing speech parameters which include coded data and inband TFO signaling information), which carry coded data and inband tandem free operation signaling information related to the

Art Unit: 2616

coding, from the received data (since TFO frames are carried in one of two least significant bits of PCM samples, col. 2, lines 32-37, 46-50 and speech parameters of TFO frames are extracted and encapsulated in UDP/IP frame, col. 6, lines 8-23, the TFO frames must then be separated from the PCM data by an inherent means for separating).

Means for extracting data (speech parameters must include TFO signaling information) from said frames, said means arranged to extract at least said tandem free operation signaling information (the gateway discharges the speech parameters of a few TFO frames and located them in the UDP/IP frame, col. 6, lines 19-23, therefore means for extracting data must be included in the gateway).

Means for encapsulating the extracted data into packet protocol packets (the gateway discharges the speech parameters of a few TFO frames and located them in the UDP/IP frame, col. 6, lines 19-23, therefore means for encapsulating must be included in the gateway, see also claim 5).

Regarding claim 17, as shown in Fig. 4, Haeggstrom teaches a receiving apparatus (gateway) for receiving data over packet network, comprising:

Means for receiving data in packet format (the gateway receives data in UDP/IP packets, col. 6, lines 26-31, therefore, the gateway must include means for receiving data).

Means for sending data in telephony network format (the gateway packs speech frames as the TFO frames for transmission towards the MSC via the PSTN, col. 6, lines 26-31, therefore, the gateway must include means for sending data).

Art Unit: 2616

Means for extracting certain information (coded data and TFO signaling information contained in speech frames) from the received data (UDP/IP data), which information comprises coded data and tandem free operation signaling information related to the coded data (col. 2, lines 32-37, 46-50 and col. 6, lines 26-31).

Means for processing the extracted information comprising means for constructing tandem free operation frames, which carry said coded data and, as inband signaling, said tandem free operation signaling information (speech frames are packed as TFO frames by the gateway, col. 6, lines 26-31, therefore, the gateway must include means for constructing tandem free operation frames).

Regarding claim 18, as shown in Fig. 4, Haeggstrom teaches a gateway (the gateway), comprising:

Means for receiving and sending data in packet format (UDP/IP frame) (col. 6, lines 19-31).

Means for receiving and sending data in telephony network format (PCM format) (col. 6, lines 8-13 and 19-31, see also col. 2, lines 32-37).

Means for separating tandem free operation frames (TFO/TRAU frames, col. 2, lines 32-37), which carry coded data and inband tandem free operation signaling information related to the coding, from the received telephony data (col. 6, lines 19-23, see also rejection of claim 16).

Means for extracting data (speech parameters) from said frames (col. 6, lines 19-23).

Means for encapsulating the extracted data into packet protocol packets (UDP/IP frames) (col. 6, lines 19-23, see also rejection of claim 16).



Art Unit: 2616

Means for extracting certain information from the received packet data, which information comprises coded data and tandem free operation signaling information related to the coded data (col. 2, lines 32-37, 46-50, and col. 6, lines 26-31).

Means for processing the extracted information comprising means for constructing tandem free operation frames, which carry said coded data and, as inband signaling, said tandem free operation signaling information (speech frames are packed as TFO frames by the gateway, col. 6, lines 26-31, therefore, the gateway must include means for constructing tandem free operation frames).

#### *Allowable Subject Matter*

6. Claims 3-9, 11, 13, 14, 15, and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### *Conclusion*

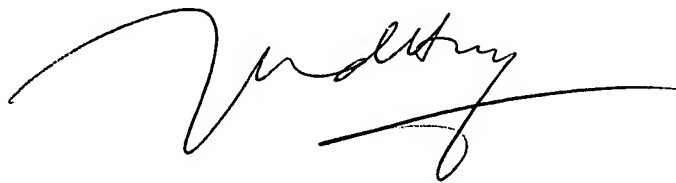
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nittaya Juntima whose telephone number is 571-272-3120. The examiner can normally be reached on Monday through Friday, 8:00 A.M - 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nittaya Juntima  
April 11, 2006



HUY D. VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600